IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 23812 of 2004

Between:

Mohd. Ghouse E-52750, Driver S/o Abdulla,
Mababoobnagar Depot, R/o Mahaboobnagar Mahaboobnagar District

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Mahaboobnagar Region, Mahaboobnagar.
2 the Depot manager, APSRTC., Mahaboobnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction, declaring the action of the respondents herein in not fixing the pay of the petitioner on par with his colleague employee namely M.A. Hafeez, E-39435, Driver and as such liable to be set aside with a consequential direction to re-fix the pay of the petitioner duly adding the Gr-1 increment on par with his colleague employee in the interest of justice and pass such other or orders.

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondents.: MR.P.VINAYAKA SWAMY

The Court made the following:

ORAL ORDER:

The petitioner has filed this writ petition seeking a Mandamus to declare the action of the respondents in not fixing the pay of the petitioner on par with his colleague namely M.A.Hafeez as arbitrary and illegal.

Heard Sri S.M.Subhan, learned counsel for the petitioner and Sri P.Vinayaka Swamy, learned standing counsel for the respondents and perused the material on record.

The petitioner made a representation, dated 12.10.2002 to consider his case in fixing the pay on par with his colleague, who was also appointed as Driver along with the petitioner. It is for the respondents to take appropriate decision with regard to the fixing of pay scales in accordance with the rules and regulations governing the fixation of pay scales.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondents to consider the representation, dated 12.10.2002 made by the petitioner, take appropriate decision and pass orders in accordance with the rules and regulations of the Corporation, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that after taking appropriate decision, the same shall have to be communicated to the petitioner.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

Sd/-A.SUVARNA

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Regional Manager, APSRTC, Mahaboobnagar Region, Mahaboobnagar.
2. The Depot manager, APSRTC., Mahaboobnagar.

3. Two C.D. copies

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HIGH COURT

DATED: 21.12.2004

ORDER:

W.P.NO. 23812 OF 2004

DISPOSED OF NO COSTS